

Attorney's Docket No. 031749/268956

NOV 09 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

In re: Halbert et al. Confirmation No.: 3177
 Appl No.: 10/657,404 Group Art Unit: 1653
 Filed: September 8, 2003 Examiner: Robinson, Hope A.
 For: NON-NATURALLY OCCURRING LIPOPROTEIN PARTICLE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

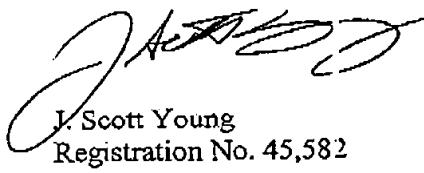
This is in response to the Office Action dated September 9, 2004, in which the Examiner has required restriction between Group I, namely Claims 1-15, Group II, namely Claims 16-23, and Group III, namely Claims 24-25. Applicant hereby provisionally elects without traverse to prosecute the claims of Group I(Claims 1-15) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

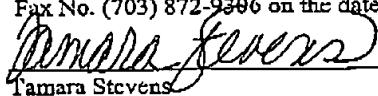
Respectfully submitted,

CUSTOMER NO. 00826
 ALSTON & BIRD LLP
 Bank of America Plaza
 101 South Tryon Street, Suite 4000
 Charlotte, NC 28280-4000
 Tel Charlotte Office (704) 444-1000
 Fax Charlotte Office (704) 444-1111



J. Scott Young
 Registration No. 45,582

CERTIFICATION OF FACSIMILE TRANSMISSION
 I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at
 Fax No. (703) 872-9396 on the date shown below.


 Tamara Stevens


 November 9, 2004
 Date